

ASSEMBLY, No. 5547

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires grants to local government units to cover total cost of forest stewardship plans; provides for allocation of funding from “Global Warming Solutions Fund”.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning funding for forest stewardship, and amending
2 P.L.2009, c.256 and P.L.2007, c.340.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 5 of P.L.2009, c.256 (C.13:1L-33) is amended to
8 read as follows:

9 5. a. There is established in the General Fund a special
10 nonlapsing fund, to be known as the "Forest Stewardship Incentive
11 Fund." Moneys in the fund shall be dedicated to:

12 (1) providing grants to persons for the purpose of developing
13 and implementing a forest stewardship plan pursuant to section 3 of
14 P.L.2009, c.256 (C.13:1L-31);

15 (2) paying the costs of the department to develop, implement,
16 and administer the provisions of P.L.2009, c.256 (C.13:1L-29 et
17 al.); and

18 (3) providing for the stewardship and management of State
19 forests.

20 b. The fund shall be credited with:

21 (1) the amount allocated for programs that enhance the
22 stewardship and restoration of the State's forests pursuant to section
23 7 of P.L.2007, c.340 (C.26:2C-51) from the "Global Warming
24 Solutions Fund," established pursuant to section 6 of P.L.2007,
25 c.340 (C.26:2C-50);

26 (2) any other moneys as may be appropriated to the fund by the
27 Legislature or otherwise provided to the fund; and

28 (3) any return on the investment of moneys deposited in the
29 fund.

30 c. In each State fiscal year, the amount credited to the Forest
31 Stewardship Incentive Fund shall be appropriated to the fund for the
32 purposes set forth in this section.

33 d. The department may award individual grants of up to \$1,500
34 from the fund to pay for the cost of developing a forest stewardship
35 plan pursuant to section 3 of P.L.2009, c.256 (C.13:1L-31) , except
36 that the department shall award grants to local government units for
37 the total cost of developing and implementing a forest stewardship
38 plan for forest land owned by the local government unit. If the cost
39 of developing a forest stewardship plan exceeds \$1,500, the
40 department may also award 80 percent of the cost that exceeds
41 \$1,500 to the owner other than a local government unit, up to a
42 maximum grant of \$2,500. Grants from the fund may be made to
43 local government units, nonprofit organizations, and private owners
44 of forest land. Notwithstanding the provisions of this subsection to
45 the contrary, the amount of the grants prescribed by this subsection

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 may be adjusted annually by the department in direct proportion to
2 the increase in the Consumer Price Index for all urban consumers in
3 the New York City area as reported by the United States
4 Department of Labor.

5 e. The department may award individual grants through a cost-
6 sharing program established pursuant to subsection c. of section 8
7 of P.L.2009, c.256 (C.13:1L-36) to private owners who have
8 obtained a forest stewardship plan approved by the department
9 pursuant to section 3 of P.L.2009, c.256 (C.13:1L-31). The
10 department shall expend no more than \$150,000 in any State fiscal
11 year for grants awarded through the cost-sharing program.

12 (cf: P.L.2009, c.256, s.5)

13
14 2. Section 7 of P.L.2007, c.340 (C.26:2C-51) is amended to
15 read as follows:

16 7. a. The agencies administering programs established pursuant
17 to this section shall maximize coordination in the administration of
18 the programs to avoid overlap between the uses of the fund
19 prescribed in this section.

20 b. Moneys in the fund, after appropriation annually for
21 payment of administrative costs authorized pursuant to subsection c.
22 of this section, shall be annually appropriated and used for the
23 following purposes:

24 (1) Sixty percent shall be allocated to the New Jersey Economic
25 Development Authority to provide grants and other forms of
26 financial assistance to commercial, institutional, and industrial
27 entities to support end-use energy efficiency projects and new,
28 efficient electric generation facilities that are state of the art, as
29 determined by the department, including but not limited to energy
30 efficiency and renewable energy applications, to develop combined
31 heat and power production and other high efficiency electric
32 generation facilities, to stimulate or reward investment in the
33 development of innovative carbon emissions abatement
34 technologies with significant carbon emissions reduction or
35 avoidance potential, to develop qualified offshore wind projects
36 pursuant to section 3 of P.L.2010, c.57 (C.48:3-87.1), and to
37 provide financial assistance to manufacturers of equipment
38 associated with qualified offshore wind projects. The authority, in
39 consultation with the board and the department, shall determine:
40 (a) the appropriate level of grants or other forms of financial
41 assistance to be awarded to individual commercial, institutional,
42 and industrial sectors and to individual projects within each of these
43 sectors; (b) the evaluation criteria for selecting projects to be
44 awarded grants or other forms of financial assistance, which criteria
45 shall include the ability of the project to result in a measurable
46 reduction of the emission of greenhouse gases or a measurable
47 reduction in energy demand, provided, however, that neither the
48 development of a new combined heat and power production facility,

1 nor an increase in the electrical and thermal output of an existing
2 combined heat and power production facility, shall be subject to the
3 requirement to demonstrate such a measurable reduction; and (c)
4 the process by which grants or other forms of financial assistance
5 can be applied for and awarded including, if applicable, the
6 payment terms and conditions for authority investments in certain
7 projects with commercial viability;

8 (2) Twenty percent shall be allocated to the board to support
9 programs that are designed to reduce electricity demand or costs to
10 electricity customers in the low-income and moderate-income
11 residential sector with a focus on urban areas, including efforts to
12 address heat island effect and reduce impacts on ratepayers
13 attributable to the implementation of P.L.2007, c.340 (C.26:2C-45
14 et al.) or to support the light duty plug-in electric vehicle incentive
15 program and the incentive program for in-home electric vehicle
16 service equipment established pursuant to sections 4 and 6 of
17 P.L.2019, c.362 (C.48:25-4 and C.48:25-6). For the purposes of
18 this paragraph, the board, in consultation with the authority and the
19 department, shall determine the types of programs to be supported
20 and the mechanism by which to quantify benefits to ensure that the
21 supported programs result in a measurable reduction in energy
22 demand or accomplishment of the plug-in electric vehicle goals
23 established pursuant to section 3 of P.L.2019, c.362 (C.48:25-3);

24 (3) Ten percent shall be allocated to the department to support
25 programs designed to promote local government efforts to plan,
26 develop and implement measures to reduce greenhouse gas
27 emissions, including but not limited to technical assistance to local
28 governments, and the awarding of grants and other forms of
29 assistance to local governments to conduct and implement energy
30 efficiency, renewable energy, and distributed energy programs and
31 land use planning where the grant or assistance results in a
32 measurable reduction of the emission of greenhouse gases or a
33 measurable reduction in energy demand. For the purpose of
34 conducting any program pursuant to this paragraph, the department,
35 in consultation with the authority and the board, shall determine:
36 (a) the appropriate level of grants or other forms of financial
37 assistance to be awarded to local governments; (b) the evaluation
38 criteria for selecting projects to be awarded grants or other forms of
39 financial assistance; (c) the process by which grants or other forms
40 of financial assistance can be applied for and awarded; and (d) a
41 mechanism by which to quantify benefits; and

42 (4) Ten percent shall be allocated to the department to support
43 programs that enhance the stewardship and restoration of the State's
44 forests and tidal marshes that provide important opportunities to
45 sequester or reduce greenhouse gases of which at least 10 percent
46 shall be allocated for grants for the development and
47 implementation of forest stewardship plans pursuant to section 5 of
48 P.L.2009, c.256 (C.13:1L-33).

1 c. (1) The department may use up to four percent of the total
2 amount in the fund each year to pay for administrative costs
3 justifiable and approved in the annual budget process, incurred by
4 the department in administering the provisions of P.L.2007, c.340
5 (C.26:2C-45 et al.) and in administering programs to reduce the
6 emissions of greenhouse gases including any obligations that may
7 arise under subsection a. of section 11 of P.L.2007, c.340 (C.26:2C-
8 55).

9 (2) The board may use up to two percent of the total amount in
10 the fund each year to pay for administrative costs justifiable and
11 approved in the annual budget process, incurred by the board in
12 administering the provisions of P.L.2007, c.340 (C.26:2C-45 et al.)
13 and in administering programs to reduce the emissions of
14 greenhouse gases including any obligations that may arise under
15 subsection a. of section 11 of P.L.2007, c.340 (C.26:2C-55).

16 (3) The New Jersey Economic Development Authority may use
17 up to two percent of the total amount in the fund each year to pay
18 for administrative costs justifiable and approved in the annual
19 budget process, incurred by the authority in administering the
20 provisions of P.L.2007, c.340 (C.26:2C-45 et al.) and in
21 administering programs to reduce the emissions of greenhouse
22 gases.

23 d. The State Comptroller shall conduct or supervise
24 independent audit and fiscal oversight functions of the fund and its
25 uses.

26 (cf: P.L.2019, c.362, s.12)

27
28 3. This act shall take effect immediately.
29
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31 STATEMENT

32
33 This bill would require that a grant awarded by the Department
34 of Environmental Protection for a forest stewardship plan to a local
35 government unit be for the total cost of the development and
36 implementation of the plan. Current law authorizes the department
37 to award grants of up to \$1,500 from the "Forest Stewardship
38 Incentive Fund" (fund) to pay for the cost of developing a forest
39 stewardship plan pursuant to section 3 of P.L.2009, c.256 (C.13:1L-
40 31) to owners of forested land, including local government units.
41 Current law also provides that, if the cost of developing a forest
42 stewardship plan exceeds \$1,500, the department may also award 80
43 percent of the cost that exceeds \$1,500 to the owner, up to a
44 maximum grant of \$2,500. The fund is credited with moneys
45 allocated for programs that enhance the stewardship and restoration
46 of the State's forests pursuant to section 7 of P.L.2007, c.340
47 (C.26:2C-51) from the "Global Warming Solutions Fund." This bill
48 would require a grant to a local government unit to cover the total

1 cost of development and implementation of a forest stewardship
2 plan for its forested land. Finally, the bill would require that of the
3 moneys allocated for forest stewardship from the “Global Warming
4 Solutions Fund,” at least 10 percent of that allocation would be
5 required to be allocated for grants for the development and
6 implementation of forest stewardship plans.